



DOCKET NO: R0586-701110

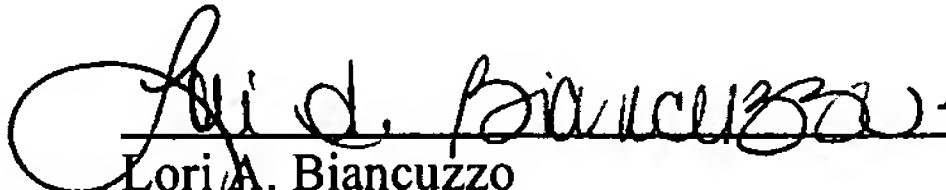
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark E. Herrmann, et al.  
Serial No: 10/728,727  
Confirmation No: 1722  
Filed: December 5, 2003  
For: GAME OF CHANCE AND SYSTEM AND METHOD FOR  
PLAYING GAMES OF CHANCE  
  
Examiner: Benjamin William Lee  
Art Unit: 3713

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the ~~29~~ day of February, 2007.

  
Lori A. Biancuzzo

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

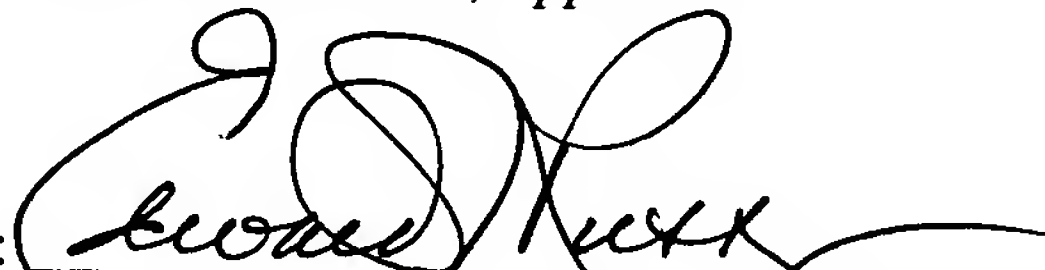
Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 395-7000.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 50/2762. A duplicate of this sheet is enclosed.

Respectfully submitted,  
Mark E. Herrmann, Applicant

By:   
Edward J. Russell, Reg. No. 43,069  
Matthew H. Grady, Reg. No. 52,957  
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Date: February 22, 2007



DOCKET NO: R0586-701110

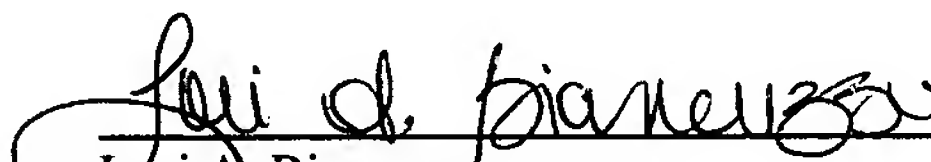
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The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 22 day of February, 2007.

  
Lori A. Biancuzzo

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**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

02/27/2007 EAYALEW1 00000026 502762 10728727

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PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
10/954,985	September 30, 2004	Steven N. Kane, et al.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

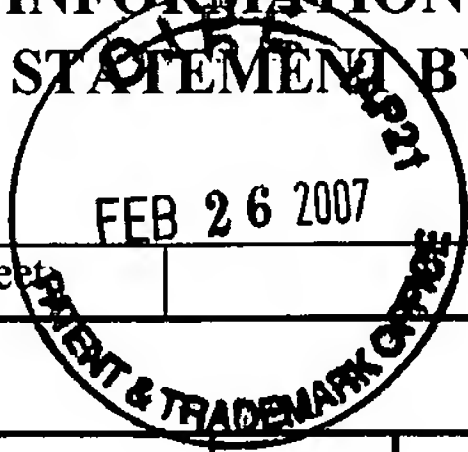
Respectfully submitted,  
*Mark E. Herrmann, et al., Applicants*

By: 

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Matthew H. Grady, Reg. No. 52,957  
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Tel. (617) 395-7000

Date: February 28, 2007

FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 10/728,727	ATTY. DOCKET NO.: R0586-701110
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		FILING DATE: December 5, 2003	CONFIRMATION NO.: 1722
		APPLICANT: Mark E. Herrmann, et al.	
		GROUP ART UNIT: 3713	EXAMINER: Benjamin William Lee
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### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		5,791,991*	A	Small	08/11/1998
		6,607,439*	B2	Scheneier et al.	08/19/2003
		US2002/0090986*	A1	Cote et al.	07/11/2002
		US2005/0049042*	A1	Walker, et al.	03-03-2005
		US2004/0142741*	A1	Walker, et al.	07-22-2004
		US2002/0090987*	A1	Walker, et al.	07-11-2002
		US 6,843,724*	B2	Walker, et al.	01-18-2005
		US 6,692,353*	B2	Walker, et al.	02-17-2004
		US 6,364,765*	B1	Walker, et al.	04-02-2002
		US2003/0218303*	A1	Walker, et al.	11-27-2003
		US2003/0155715*	A1	Walker, et al.	08-21-2003
		US 6,679,497*	B2	Walker, et al.	01-20-2004
		US 6,540,230*	B1	Walker, et al.	04-01-2003
		US 6,523,829*	B1	Walker, et al.	02-25-2003

### FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided either because it was previously cited by or submitted to the office in a prior application, Serial No. \_\_, filed \_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications) or because a copy of this reference need not be provided as the reference is a published U.S. Patent or U.S. Patent application and the present application was filed after June 30, 2003.